

## REMARKS

Claims 1 and 3 through 20 are in the application and are presented for reconsideration. By this amendment, Applicant has incorporated the subject matter of claim 2 into claim 1. Claim 2 has been canceled. Minor clarifying changes have been made to claim 19. Claim 15 has been changed to more clearly highlight that it is plastic material that forms the connection between the frangible web and said plastic material connection end. It is believed that the changes do not add any issues and present a clarification of the subject matter already presented.

Applicant's representative wishes to thank Examiner DeSanto for the courtesy of a telephone interview held November 14, 2007. During this discussion, the structural nature of a weld connection and also a single piece molded element were discussed. Applicant has emphasized the preferred weld structure, to form the substance material connection in claim 1 (combining this in claim 2 into claim 1). Applicant has emphasized the plastic material that provides the connection between the parts in revised claim 15. It is noted that claim 15 already indicated a plastic material connection in substance, but it is believed that noting the plastic material defines the connection in substance between said frangible web and said plastic material connection end provides further clarity, along the lines of the discussion held between Applicant's representative and the Examiner.

Claims 1 through 20 have been rejected in the final rejection as being obvious based on the teachings of Jansen et al. (US 6,520,935) in view of Whitney (US 4,220,151). The rejection is based on the position that it would have been obvious to modify the structure taught by Jansen et al. by using polypropylene as suggested by Whitney. However, the references clearly

do not teach the structural features as claimed.

Applicants claim 1 highlights an important combination of features in which a frangible web and cap are a single part. This single part is in a connected state via a plastic material connection to the plastic material of the connection end. This combination is not suggested by either Jansen et al. or Whitney. The references fail to teach the crux of the invention. Jansen et al. fails to present any teachings or suggestions which would motivate the person of ordinary skill in the art to depart from the positive engagement structure 50/54 and instead provide a plastic material connection. Further, Jansen et al. does not present a suggestion of providing a plastic material connection as claimed in which the syringe has a plastic material connection end. Whitney fails to provide any suggestions with regard to changing the structure of Jansen et al. so as to provide the combination of features as claimed. Accordingly, the rejection is untenable and it is requested that it be reconsidered.

Regarding each of the claims, including claim 1, Applicant has used the term plastic material connection. This is believed to be clear in that it is a physical or structural feature and it is in particular the connection of one plastic part to another plastic part by plastic material, forming the connection. This can be for example a melting of a plastic parts so that the plastic material that is melted and hardened provides a connection by plastic of the parts to each other. This may be material added such as welding material to form a weld connection which is plastic material connecting one plastic part to another plastic part. As highlighted in some of the claims, this prevents one piece from rotating relative to the connected other piece or moving relatively, absent a breaking of the plastic connection structure.

Claims 1 through 20 have been rejected as being obvious based on Reinhard et al. (US

6, 280, 418) in view of Whitney (US 4, 220, 151). It appears that this rejection also does not address the structural features recited in the claims as presented. The rejection makes reference to the primary reference Reinhard et al. as disclosing a frangible web connected to a connection ended by a material fit connection and an adhesive bond. However, there is no discussion of features such as:

from claim 1:

*“...a one piece cap and a frangible web formed as a single injection molded plastic part ...  
...said frangible web is connected to plastic material of said connection end by a plastic material connection.”*

from claim 15:

*“...a one piece cap and frangible web formed as a single injection molded plastic part...  
...said frangible web being connected to said plastic material connection end by a plastic material connection in substance, preventing relative rotation between said single injection molded plastic part and said plastic material connection end.”*

and from claim 20:

*“...a one piece cap, a frangible web and cylindrical section fixation component formed as a single injection molded plastic part...  
....said frangible web being connected to said plastic material connection end via said fixation component and said fixation component being connected to said plastic material connection end by a weld connection in which said fixation component is directly welded to said plastic material connection end, preventing relative rotation between said single injection molded plastic part and said plastic material connection end.”*

Reinhard et al. discloses a container for storing and dispensing injection, infusion and diagnostic preparations. The container includes a base syringe barrel with a glass top section with a glass

connector cone 3. Various embodiments are presented including an embodiment with a positive lock connection based on a groove 4 (figure 3). A safety cap with threaded section has a frangible portion with the threaded section 5 interlocking with the groove 4 to maintain the structure in position in the form of a snap connection (column 6). There is no suggestion of a plastic connection in substance as claimed. There is no suggestion as to any reason for a one piece plastic structure and the connection end being of materials which are compatible with one another, namely both formed of a plastic. Other embodiments are presented but there is no suggestion of a plastic connection in substance as claimed. Whitney fails to teach and fails to suggest a departure from the positive lock connection to instead provide a plastic material connection. As the references as a whole fail to suggest the combination as claimed, reconsideration of this rejection is requested. It is Applicant's position that the claims as presented patentably define over the prior as a whole.

Favorable action on the merits is requested.

Respectfully submitted  
for Applicant,



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Attached: Petition for Two Month Extension of Time

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SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE  
IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-  
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